

**REMARKS**

Applicants appreciate the Examiner's courteous efforts to expedite prosecution during the personal interview conducted on September 10, 2001. During the interview, the Examiner indicated that several proposed changes to the claims would distinguish the claimed invention over the prior art of record. The Examiner also indicated that these changes would place the application in condition for allowance, subject to a new search and further consideration of the prior art. With this in mind, Applicants have amended claims 99-101 and 105 to clarify the claimed invention, and added new claims 117-135 to protect additional aspects of the elected invention. As required by 37 C.F.R. § 1.121(c)(1)(ii), Applicants provide a marked-up version of the amended claims 99-101 and 105 in the attached Appendix A. As a result of these amendments, claims 1-35, 64, 67-69, 73-86, and 92-135 remain currently pending. Claims 99-114 and 117-135 are readable on the elected invention.

As discussed on pages 2-4 of the Office Action, the Examiner rejected claims 99-112 under 35 U.S.C. § 103(a) as being unpatentable over Acebo et al. (U.S. Patent No. 6,023,679). Moreover, the Examiner rejected claims 113-114 under 35 U.S.C. § 103(a) as being unpatentable over Acebo et al. in view of Kahl et al. for the reasons set forth on page 4 of the Office Action.

Acebo et al. and Kahl et al., however, fail to render the claimed invention unpatentable. For example, independent claim 99 recites a method for creating a new travel reservation based on information reflecting frequent trips that includes the steps

of

prompting a user to indicate at least one new travel date associated with the trip request regardless of whether the selected frequent trip record has any associated travel dates; and

transmitting at least certain aspects of the trip request to a computerized reservation system, wherein a new travel reservation is automatically created using the transmitted aspects of the trip request,

(claim 99, ll. 5-10). At the very least, Acebo et al. and Kahl et al. fail to disclose or suggest any of these exemplary features recited in the independent claim.

The Examiner has failed to establish a *prima facie* case of obviousness for at least four reasons. First, the Examiner has not demonstrated that Acebo et al. or Kahl et al. discloses or suggests each and every limitation recited in the claims. See M.P.E.P. § 2143 (7th ed. 1998). Second, the Examiner neglected to show the existence of any reasonable probability of success in modifying Acebo et al. and Kahl et al. to somehow result in the claimed invention. See *id.* Third, the Examiner has not identified any suggestion or motivation, either in the teachings of Acebo et al. and Kahl et al. themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the Acebo et al. device in a manner that could somehow result in the claimed invention. See *id.* Finally, the Examiner has not explained how his obviousness rationale could be found in the prior art – rather than a hindsight reconstruction of Applicants' own disclosure. See *id.*

Acebo et al. discloses a system for instantaneously transmitting data from a passenger name record ("PNR") in a computer reservation system ("CRS") to a travel agent's locally operated computer system. See abstract. Acebo et al., however, fails to

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provide any disclosure of the step of prompting a user to indicate at least one new travel date associated with a trip request regardless of whether a selected trip record has any associated travel dates, as stated in independent claim 99. Instead, Acebo et al. teaches away from the claimed invention by simply generating a PNR having date information associated with a travel arrangement. For example, Fig. 3 of Acebo et al. illustrates the form of the raw data available in a PNR generated by a typical CRS system. This form of raw data includes date information (i.e., "02 MAY 90") inputted by a travel agent for a travel itinerary (see *also* Fig. 4). Therefore, no need exists in Acebo et al.'s system to prompt for a new date. On the other hand, the present invention prompts a user to include new travel date information for a selected trip request even if, for example, a selected frequent trip record already includes date information from a past travel itinerary (see claim 99, ll. 5-7). Additionally, the present invention transmits certain aspects of a trip request to a computerized reservation system so as to automatically create a new travel reservation (see claim 99, ll. 8-10). Consequently, Acebo et al. not only fails to disclose each and every operation recited in independent claim 99, but also teaches away from the claimed invention.

Moreover, Kahl et al. fails to remedy the deficiencies of Acebo et al. For example, the Examiner relies upon Kahl et al. solely to allegedly disclose the existence of a calender having icons, (see Office Action ¶ 3). Modifying the Acebo et al. system with the teachings of Kahl et al. would thus fail to overcome the shortcomings of Acebo et al.

For at least these reasons, Acebo et al. and Kahl et al. fail to disclose or render obvious each and every element recited in independent claim 99. In addition, claims 100-135, which all depend upon one of the independent claims, respectively, recite additional limitations that are neither disclosed nor suggested by each of the applied references, taken either alone or in combination. Thus, each of the dependent claims are allowable for at least the same reasons discussed above with respect to the independent claims.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of all the elected claims 99-114 and 117-135. As for non-elected claims 1-35, 64, 67-69, 73-86, 92-98, and 115-116, the Examiner has indicated that each of the non-elected independent claims (i.e., claims 1, 12, 18, 20, 64, 67, 73, 75, and 92) were allowable over the prior art during the interview of August 28, 2000. See After-final Amendment dated September 28, 2000 at p. 11. This indication of allowability was made before the Examiner issued the Restriction Requirement on March 29, 2001. As a result, each of the pending claims 1-35, 64, 67-69, 73-86, and 92-135 are now allowable. With this in mind, Applicants respectfully requests appropriate rejoinder of the distinct inventions and allowance of all pending claims based on the absence any continuing burden on the Examiner with respect to the allowability of the non-elected claims.

Additionally, Examiner Poinvil is invited to telephone the undersigned

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representative at (202) 408-6052 if necessary to further expedite the prosecution of this application.

Please grant any necessary extensions of time and charge any additional fees due with the filing of this Amendment to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: October 30, 2001

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**Appendix A: Marked Up Version of Amended Claims 99-101 and 105**

99. (Amended) A [travel planning and reporting method,] method for creating a new travel reservation based on information reflecting frequent trips comprising:

storing in a database a set of frequent trip records, each frequent trip record associated with a traveler and reflecting a travel itinerary [without any associated travel dates];

receiving [from a particular traveler an indication that a trip request corresponds to] selection information reflecting a selected one of the frequent trip [record] records to form a trip request;

prompting [the particular] a user to [provide] indicate at least one new travel date[s] associated with the trip request regardless of whether the selected frequent trip record has any associated travel dates; and

[automatically booking a] transmitting at least certain aspects of [a travel reservation corresponding to] the trip request [and scheduled based on new travel dates] to a computerized reservation system, wherein a new travel reservation is automatically created using the transmitted aspects of the trip request.

100. (Amended) The method of claim 99, wherein the step of receiving [from a particular traveler an indication that a trip request corresponds to a frequent trip record, comprising:] selection information reflecting a selected frequent trip

5 record to form a trip request further comprises the substep of prompting the  
particular user for the trip request.

101. (Amended) The method of claim 99, wherein the step of receiving [from a  
particular traveler an indication that a trip request corresponds to a frequent trip  
record, comprising:] selection information reflecting a selected frequent trip  
5 record to form a trip request further comprises the substep of displaying a set of  
frequent trip records associated with the particular traveler and stored in a  
database.

105. (Amended) The method of claim 104, wherein the step of [automatically  
booking a new travel reservation associated with the trip request and scheduled  
based on the provided travel dates, comprises:] transmitting at least certain  
5 aspects of the trip request to a computerized reservation system comprises the  
substep of creating a new expense report for the new travel reservation.